

REMARKS

This reply is in response to the Final Office Action mailed on January 3, 2007 in which Claims 1-39 were rejected. With this response, claims 6 and 41 are amended;. Claims 1-14, 17-22 and 27-43 are presented for reconsideration and allowance.

I. Claim Objections

Page 2 of the Office Action objected to claim 41 noting that "the plurality of fins" lacks antecedent basis. The Office Action further noted a typographical error. In response, claim 41 is amended to correctly depend from claim 40 which provides antecedent basis for "the plurality of fins" and is further amended to correct the typographical error. Applicants respectfully request entry of the members to claim \$.41 such a menace to not raise new issues. In particular, the Office Action already correctly assumed that claim 41 did depend from claim 40 for purposes of the previous examination. Accordingly, Applicants respectfully request that the objection be withdrawn.

In addition, claim 6 is amended to further amended to correct a grammatical error adding the phrase "further comprising." Applicants request entry of such amendments of such amendment also does not raise any new issues and would place the application in better form for allowance or appeal.

II. Rejection of Claims 1-4, 7-10, 12-14, 18-22 and 43 under 35 USC 103(a) Based upon Anderson and Hirabayashi and Kim

Page 3 of the Office Action rejected claims 1-4, 7-10, 12-14, 18-22 and 43 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138 and in further view of Kim US Patent 6,101,356. Claims 1-4, 7-10, 12-14 and 18-22, as amended, overcome the rejection based on Anderson, Hirabayashi and Kim.

Claim 1 recites a printing system having a condenser configured to condense vapor into a condensate and a receptacle configured to collect the condensate. The receptacle is removably coupled to a remainder of the system. The receptacle additionally includes an inlet through which the condensate flows into the receptacle and a closing portion movable between an inlet open position and an inlet closing position.

A. Neither Anderson nor Hirabayashi disclose a removable condensate receiving receptacle.

Neither Anderson, Hirabayashi nor Kim, alone or in combination, disclose or suggest a printing system having a condenser and a removable receptacle receiving condensate from the condenser. As acknowledged by the Office Action, Anderson does not disclose a receptacle that receives condensate from the condenser and that is removable. Kim U. S. Patent 6,101, 356 also fails to disclose a removable condensate receiving receptacle.

In rejecting the claims, the Office Action attempts to rely upon Hirabayashi by asserting that Hirabayashi discloses a receptacle that is removably coupled to a remainder of the system. However, the receptacle of Hirabayashi is NOT a condensate receiving receptacle. In contrast, the receptacle disclosed by Hirabayashi is for a completely different purpose: receiving waste ink resulting from the cleaning of the recording head 7 (see column 5, lines 35-44 of Hirabayashi). Neither Anderson nor Hirabayashi provide any motivation or suggestion for replacing reservoir 112 or pan 124 with the waste ink receptacle of Hirabayashi. The Office Action also fails to cite any motivation provided by Anderson or Hirabayashi for such a modification. In contrast, the only such motivation would appear to be from Applicants' own disclosure.

Moreover, even assuming, arguendo, that would somehow be obvious to combine the teachings of Anderson and Hirabayashi, the resulting hypothetical combination would still fail to result in a printing system having a removable condensate receiving receptacle. In contrast, the resulting hypothetical combination

would come at best, constitute the ink marking device of Anderson additionally including the waste ink disposal number 16 of Hirabayashi receiving waste ink resulting from the cleaning of printhead 104 of Anderson.

B Kim also fails to disclose a removable condensate receiving receptacle, while actually teaching away from such a modification.

As with both Anderson and Hirabayashi, Kim also fails to disclose a receptacle that is removably coupled to a remainder of the system and that receives condensate from a condenser. Rather, as with Hirabayashi, carrier tank 860 is merely disclosed as being permanently configured as part of drying unit 300. No where does Kim disclose that tank 860 is removable. In fact, tank 860 is disclose as having an outlet pipe, such that Kim appears to disclose removing material from tank 860 rather than removing and potentially disposing of the entire tank 860 itself. Accordingly, Kim actually teaches away from having a removable tank 860.

C. The Office Action mischaracterizes Applicants' arguments and improperly ignores the context of Hirabayashi to reject the claims.

In responding to Applicants' aforementioned points regarding the improper rejection of claim 1, the Office Action argues that nonobviousness cannot be shown by attacking references individually (Office Action, pg. 16), that the test for obviousness is not whether the features of a second a reference may be bodily incorporated into the structure of the primary reference nor is it that the claimed invention must be expressly suggested in any one or all of the references (Office Action, pg. 18). However, this mischaracterizes Applicants' arguments. Applicants have not argued that each reference fails to show all of the limitations of the rejected claims. In contrast, Applicants' point is that not one single reference, whether it be Anderson, Hirabayashi or Kim, discloses a removable condensate receiving receptacle. Thus, since none of the references disclose a removable condensate receiving receptacle, their combination also obviously cannot result in a removable condensate receiving receptacle.

The Office Action further attempts to sidestep the well-established law that the motivation to combine references must be found in the references themselves by arguing that one may combine teachings without any motivation. What the Office Action appears to be doing is selectively picking and choosing features from multiple references while specifically ignoring the actual context or environment in which such features are disclosed. In particular, the Office Action ignores the actual context of Hirabayashi by improperly asserting:

Examiner would like to point out that the Hirabayashi reference was used only to teach a new removable receptacle within a printing apparatus, while the Kim reference was used only to teach a closing portion movable between an inlet open position and an inlet closing position.

(Final Office Action, pg. 16) (Emphasis added).

Applicants would like to point out that Hirabayashi discloses a removable receptacle for receiving waste ink, not condensate from a condenser. Applicants would also like to point out that Kim teaches a valve mechanism for an ink jet cartridge and has nothing to do with a valve for a condensate receiving receptacle. The Office Action fails to provide any support or motivation for its selective picking and choosing features from references while selectively ignoring other features or the context of the features in the disclosing references. Rather, it appears that the Office Action is selectively picking and choosing features while ignoring others using Applicants' own disclosure as a blueprint for such subjective "decisions". As noted above, taking into account the entire disclosure or "four corners" of the documents relied upon, one of ordinary skill in the art will be led to produce a combination entirely different from that alleged by the Office Action. Accordingly, the rejection of claim 1 is improper and should be withdrawn. Claims 2-4, 7-10, 12-14 and 18-22 depend from claim 1 and overcome the rejection for the same reasons.

III. Rejection of Claims 5 and 40 under 35 USC 103(a) Based upon Anderson, Hirabayashi and Hoffman

Page 6 of the Office Action rejected claim 5 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138 and further in view of Hoffman et al. US Patent 6,771,916. Claims 5 and 40 depend from claim 1 and overcome the rejection for the same reasons discussed above with respect to claim 1. Hoffman fails to satisfy the deficiencies of Anderson and Hirabayashi.

IV. Rejection of Claim 6 under 35 USC 103(a) Based upon Anderson, Hirabayashi and Garcia

Page 7 of the Office Action rejected claim 6 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138 and further in view of Garcia et al. US Patent 6,076,913. Claim 6 depends from claim 1 and overcomes the rejection for the same reasons discussed above with respect to claim 1. Garcia fails to satisfy the deficiencies of Anderson and Hirabayashi.

V. Rejection of Claim 11 under 35 USC 103(a) Based upon Anderson, Hirabayashi and Sakai

Page 7 of the Office Action rejected claim 11 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138 and further in view of Sakai US Patent 6,512,900. Claim 11 depends from claim 1 and overcomes the rejection for the same reasons discussed above with respect to claim 1. Sakai fails to satisfy the deficiencies of Anderson and Hirabayashi.

VII. Rejection of Claim 17 under 35 USC 103(a) Based upon Anderson, Hirabayashi and Igval

Page 9 of the Office Action rejected claim 17 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138 and further in view of Igval US Patent 6,357,854. Claim 17 depends from claim 1 and overcomes the rejection for the same reasons discussed

above with respect to claim 1. Igval fails to satisfy the deficiencies of Anderson and Hirabayashi.

VIII. Rejection of Claims 27 and 29 under 35 USC 103(a) Based on Anderson and Garcia

Page 10 of the Office Action rejected claims 27 and 29 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Garcia US Patent 6,076,913. Applicants respectfully request that this rejection be withdrawn.

Claim 27 recites a printing system which includes means for condensing vapor to form a condensate and means for storing the condensate, wherein the means for storing includes an inlet and means for automatically occluding the inlet when disconnected from a remainder of the printing system.

Neither Anderson nor Garcia, alone or in combination, disclose means for storing condensate that may be disconnected from the remainder of the printing system. As noted above, Anderson does not disclose a removable condensate receiving receptacle. Neither reservoir 112, nor pan 124 is disclosed as being removable. Page 8 of the Office Action specifically acknowledges that Anderson does not disclose the receptacle that is removably coupled to a remainder of the system.

Garcia also fails to disclose means for storing condensate which may be disconnected from the remainder of the printing system. In fact, the Office action fails to even allege that Garcia discloses means for storing condensate that may be disconnected from a remainder of the printing system. Thus, the Office action has failed to establish even a prima facie case of obviousness with regard to claim 27.

Moreover, neither Anderson nor Garcia, alone or in combination, disclose a condensate receiving receptacle having means for automatically occluding an inlet of the storing means when the storing means is disconnected from the remainder of the printing system. Page 10 of the Office Action acknowledges that Anderson does

not disclose means for automatically occluding the inlet. As a result, the Office Action attempt to addition to rely upon Garcia. However, Garcia does not disclose a condensate receiving receptacle having means for automatically occluding an inlet of the condensate receiving receptacle. In contrast, Garcia merely discloses a valve arrangement on an inkjet cartridge. Neither Anderson nor Garcia discloses any motivation or suggestion for adding a valve arrangement to reservoir 112 or pan 124. In fact, since neither reservoir 112 nor pan 124 is even removable or disconnectable, there would be no reason to add means for automatically occluding upon disconnection of the storing means. Rather, the only motivation would appear to be from Applicants' own disclosure.

Furthermore, even assuming, arguendo, that it would be obvious to combine the teachings of Anderson and Garcia, the resulting hypothetical combination would still fail to disclose a removable storing means having means for automatically occluding an inlet of the storing means when the storing means is disconnected from the remainder of the printing system. In contrast, at most, the hypothetical combination would consist of the ink marking device of Anderson additionally including one or more ink jet cartridges having the valve of Garcia.

As with the rejection of claim 1, the rejection of claim 27 also appears to be the result of the Office Action selectively picking and choosing features or concepts from the relied upon references while ignoring the main objectives and context of the disclosing references. Since neither Anderson nor Garcia disclosed a removable condensate receiving receptacle, their combination obviously cannot result in a removable condensate receiving receptacle. Thus, the rejection of claim 27 should be withdrawn. Claim 29 depends from claim 27 and is patently distinct over the prior art of record for the same reasons.

IX. Rejection of Claims 27 and 29 under 35 USC 103(a) Based on Anderson and Garcia

Page 11 of the Office Action rejected claims 28 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Garcia US Patent

6,076,913 and further in view of Hirabayashi et al. US Patent 6,203,138. Claim 28 depends from claim 27 and overcomes rejection from the same reasons discussed above with respect to claim 27. Hirabayashi fails to satisfy the deficiencies of Anderson and Garcia.

X. Rejection of Claims 30, 33-36 and 39 under 35 USC 103(a) Based on Brinkly and Hirabayashi

Page 11 of the Office Action rejected claims 30, 33-36 and 39 under 35 USC 103(a) as being unpatentable over Brinkly U. S. Patent 6,397,488 in view of Hirabayashi et al. US Patent 6,203,138. For the reasons which follow, Applicants respectfully request that the rejection be withdrawn.

Claim 30 recites a method of printing ink upon a medium. The method includes condensing vapor into a condensate, collecting the condensate in a receptacle and absorbing at least a portion of the condensate in an absorption member within the receptacle.

Neither Brinkly nor Hirabayashi, alone or in combination, disclose or suggest absorbing condensate in an absorption member within a receptacle. Page 12 of the Office Action expressly acknowledges that Brinkly does not disclose absorbing condensate in an absorption member within a receptacle. As a result, the Office Action attempts to additionally rely upon Hirabayashi by asserting that Hirabayashi discloses absorbing condensate into an absorption member within a receptacle.

However, this characterization of Hirabayashi is incorrect. Hirabayashi does not disclose absorbing condensate in an absorption member within a receptacle. Hirabayashi does not disclose a condensate receiving receptacle. In contrast, the receptacle disclosed by Hirabayashi is for a completely different purpose: receiving waste ink resulting from the cleaning of the recording head 7 (see column 5, lines 35-44 of Hirabayashi). Neither Brinkly nor Hirabayashi provide any motivation or suggestion for replacing vessel 116 with the waste ink receptacle of Hirabayashi. The Office Action also fails to cite any motivation provided by Brinkly or Hirabayashi

for such a modification. In contrast, the only such motivation would appear to be from Applicants own disclosure.

Moreover, even assuming, arguendo, that would somehow be obvious to combine the teachings of Brinkly and Hirabayashi, the resulting hypothetical combination would still fail to result in a printing system having a condensate receiving receptacle with an absorption member for absorbing condensate. In contrast, the resulting hypothetical combination would, at best, constitute the printing device of Brinkly additionally including the waste ink disposal number 16 of Hirabayashi receiving waste ink resulting from the cleaning of print engine 22 of Brinkly.

As with the rejection of claims 1 and 27, the rejection of claim 30 also appears to be the result of the Office Action improperly selectively picking and choosing features from multiple references and combining them improperly using Applicants' own disclosure as a blueprint. Once again, Applicants' point is not that neither Hirabayashi or Brinkly, individually, fail to disclose all of the limitations of claim 30, but that neither Hirabayashi nor Brinkly disclose a condensate absorbing member. Since neither discloses a condensate absorbing member, even their hypothetical combination will not yield a condensate absorbing member within a condensate receiving receptacle. Accordingly, the rejection of claim 30 based on Brinkly and Hirabayashi is improper and should be withdrawn. Claims 33-36 and 39 depend from claim 30 and overcome the rejection for the same reasons.

XI. Rejection of Claims 31, 32 and 38 under 35 USC 103(a) Based on Brinkly, Hirabayashi and Anderson

Page 13 of the Office Action rejected claims 31, 32 and 38 under 35 USC 103(a) as being compatible over Brinkly U. S. Patent 6,397,488 in view of Hirabayashi et al. US Patent 6,203,138 and a further in view of Anderson US Patent 6,176,563. Claims 31, 32 and 38 depends from claim 30 and overcome the rejection for the same reasons discussed above with respect to claim 30. Anderson fails to satisfy the deficiencies of Brinkly and Hirabayashi.

XII. Rejection of Claim 37 under 35 USC 103(a) Based on Brinkly, Hirabayashi and Igval

Page 14 of the Office Action rejected claims 37 under 35 USC 103(a) as being compatible over Brinkly U. S. Patent 6,397,488 in view of Hirabayashi et al. US Patent 6,203,138 and a further in view of Igval US Patent 6,357,854. Claim 37 depends from claim 30 and overcomes the rejection for the same reasons discussed above with respect to claim 30. Igval fails to satisfy the deficiencies of Brinkly and Hirabayashi.

XIII. Rejection of Claim 41 under 35 USC 103(a) Based upon Anderson, Hirabayashi, Hoffman and Suzuki

Page 14 of the Office Action rejected claim 41 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138, in view of Hoffman et al. US Patent 6,771,916 and further in view of Suzuki et al. US Patent 5,073,796. For the reasons which follow, Applicants request that the rejection be withdrawn

Claim 41 depends from claim 9 and recites that the condenser includes fins converging from an inlet side proximate the ink dispenser and having a first dimension to an outlet site distant the ink dispenser and having a second smaller dimension.

Neither Anderson, Hirabayashi, Hoffman nor Suzuki, alone or in combination, disclose or suggest a condenser having fins that converge from an inlet side proximate the ink dispenser and having a first dimension to an outlet site distant the ink dispenser and having a second smaller dimension. In fact, the Office Action specifically acknowledges that neither Anderson, Hirabayashi nor Hoffman disclose a condenser having fins that converge. As a result, the Office Action attempts to additionally rely upon Suzuki.

However, in contrast to assertion by the Office Action, Suzuki does not disclose a condenser having fins that converge from inlet side to an outlet side. As

one of ordinary skill in the art knows and as set forth in the Random House College Dictionary (1984), the term "converge" means to incline toward each other, as lines that are not parallel. Figure 3 clearly illustrates fins or 267 which incline towards one another from an inlet side to an outlet side.

In contrast, fins 119 of Suzuki are parallel. Fins 119 clearly do not converge. Fins 119 clearly do not converge from an inlet side to an outlet side. Accordingly, the rejection of claim 41 is improper and should be withdrawn.

XIV. Rejection of Claim 42 under 35 USC 103(a) Based upon Anderson, Hirabayashi, Kim and Suzuki

Page 15 of the Office Action rejected claim 41 under 35 USC 103(a) as being unpatentable over Anderson et al. US Patent 6,176,563 in view of Hirabayashi et al. US Patent 6,203,138, in view of Kim US Patent 6,101,356 and further in view of Suzuki et al. US Patent 5,073,796. For the reasons which follow, Applicants request that the rejection be withdrawn

Claim 42 depends from claim 1 and recites that the condenser includes fins converging from an inlet side proximate the ink dispenser and having a first dimension to an outlet site distant the ink dispenser and having a second smaller dimension.

Neither Anderson, Hirabayashi, Kim nor Suzuki, alone or in combination, disclose or suggest a condenser having fins that converge from an inlet side proximate the ink dispenser and having a first dimension to an outlet site distant the ink dispenser and having a second smaller dimension. In fact, the Office Action specifically acknowledges that neither Anderson, Hirabayashi nor Kim disclose a condenser having fins that converge. As a result, the Office Action attempts to additionally rely upon Suzuki.

However, in contrast to assertion by the Office Action, Suzuki does not disclose a condenser having fins that converge from inlet side to an outlet side. As one of ordinary skill in the art knows and as set forth in the Random House College

Dictionary (1984), the term "converge" means to incline toward each other, as lines that are not parallel. Figure 3 clearly illustrates fins or 267 which incline towards one another from an inlet side to an outlet side.

In contrast, fins 119 of Suzuki are parallel. Fins 119 clearly do not converge. Fins 119 clearly do not converge from an inlet side to an outlet side. Accordingly, the rejection of claim 42 is improper and should be withdrawn.

XV. Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date March 5, 2007

By Todd A. Rathe

RATHE PATENT & IP LAW
Customer No. 22879
Telephone: (262) 478-9353
Facsimile: (262) 238-1469

Todd A. Rathe
Attorney for Applicant
Registration No. 38,276